

# Exhibit AA

**From:** Richer, Kristen  
**To:** David J. Stanoch; Johnston, Sarah; Conlee Whiteley  
**Subject:** RE: Valsartan - M&C re RPD Discovery  
**Date:** Tuesday, March 2, 2021 9:53:42 PM  
**Attachments:** image002.png

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Dave,

We disagree with Plaintiffs' assertion that the Pharmacies are seeking an actual or constructive stay of discovery, generally. Discovery in this matter continues to proceed and the Pharmacies continue to participate in such discovery. For example, the Pharmacies are currently working to prepare DFS responses to the new group of bellwether picks identified by Defendants and Plaintiffs, and the Pharmacies have continued to prepare DFS responsive to class representatives' PFS as they become substantially complete. Rather, as is very clearly laid out in our prior correspondence to you, the Pharmacies are of the view that it does not make sense to negotiate additional discovery with Plaintiffs currently, while the pleadings are in flux, because the extent of the claims pending against the Pharmacies—both in terms of which claims will remain, and which plaintiffs will remain—is unclear. Moreover, there simply is no need to force this process, given these concerns. The Court's recent orders extending the discovery deadlines in this case afford the Pharmacies and Plaintiffs the time to resume negotiations once the pleadings are set. We believe this is most efficient for both Plaintiffs and the Pharmacies and, frankly, thought Plaintiffs would agree.

We also disagree with your characterization of our correspondence as simply objecting to the scope of your draft requests. The comments and questions in our letter reflect much consideration and genuine confusion about what Plaintiffs seek – in part because the Pharmacies have already produced documents responsive to many of these requests. Responding with a redline without first receiving clarification and input from Plaintiffs regarding the issues raised in our letter would have been counterproductive.

Please let us know if you would like to discuss these issues further.

**Kristen Richer**

Direct (310) 284-3896



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**From:** David J. Stanoch <d.stanoch@kanner-law.com>

**Sent:** Monday, February 22, 2021 8:59 AM

**To:** Johnston, Sarah <Sarah.Johnston@btlaw.com>; Conlee Whiteley <c.whiteley@kanner-law.com>

**Cc:** Richer, Kristen <Kristen.Richer@btlaw.com>

**Subject:** [EXTERNAL]RE: Valsartan - M&C re RPD Discovery

Sarah and Kristen,

In response to Sarah's February 16 letter, Plaintiffs disagree with Retail Pharmacy Defendants' desire for an actual or constructive stay of Plaintiffs' discovery aimed at Retail Pharmacy Defendants

pending the final motion to dismiss ruling and Plaintiffs' forthcoming amended complaints, and/or because of the Court's recent 60-day extension of deadlines.

We were also disappointed that Retail Pharmacy Defendants did not provide any substantive redlines to the draft document requests, and appear unwilling to discuss the draft Rule 30(b)(6) notice at this time. Plaintiffs served their draft requests and notice on December 8, 2020. While we understand Retail Pharmacy Defendants might disagree with the scope of the draft requests and topics, or perceive some uncertainties around them, we believe it is incumbent on your side to substantively respond with proposed revisions at this time, given the passage of time here. Having revisions/redlines from Retail Pharmacy Defendants will also make any further meet and confers more productive.

Regards,  
Dave

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**From:** Johnston, Sarah <[Sarah.Johnston@btlaw.com](mailto:Sarah.Johnston@btlaw.com)>

**Sent:** Tuesday, February 16, 2021 9:28 PM

**To:** David J. Stanoch <[d.stanoch@kanner-law.com](mailto:d.stanoch@kanner-law.com)>; Conlee Whiteley <[c.whiteley@kanner-law.com](mailto:c.whiteley@kanner-law.com)>

**Cc:** Richer, Kristen <[Kristen.Richer@btlaw.com](mailto:Kristen.Richer@btlaw.com)>

**Subject:** Valsartan - M&C re RPD Discovery

Hi Conlee and Dave,

Attached is our response in furtherance of our meet and confers on the draft round 2 discovery to the retailer and pharmacy defendants. We're hopeful that this can facilitate our next round of discussions. Once you've had a chance to review, let us know your availability to discuss next steps.

Thanks—looking forward to touching base with you both.

Sarah

		<a href="#">VCard</a>   <a href="#">Bio</a>   <a href="#">Dept Info</a>
<b>Sarah E. Johnston</b> Partner <a href="mailto:sjohnston@btlaw.com">sjohnston@btlaw.com</a>		Phone: (310) 284-3798 Mobile: (310) 600-5530 Fax: (310) 284-3894 <a href="http://www.btlaw.com">www.btlaw.com</a>

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